Please ADD the following new claims:

22. The method of claim 12 wherein the pre-selected site comprises subendothelium.

23. The method of claim 12 wherein the pre-selected site comprises tumor-associated antigen.

24. The method of claim 12 wherein the pre-selected site comprises tumor-specific antigen.

25. The method of claim 12 wherein the pre-selected site comprises hyperplastic tissue.

REMARKS

The amendments set out above and the following remarks are believed responsive to the points raised by the Examiner in the Office Action dated May 4, 2001 and in the interview with the Examiner on June 25, 2001. Entry of the above is respectfully requested.

Following the entry of this amendment claims 12-25 are pending. In view of the amendments set out above and the following remarks, reconsideration is respectfully requested.

Basis for the newly submitted claim 22 can be found at page 14, line 4, et al; for claim 23, page 6, line 12, et al; ; for claim 24, page 7, line 4, et al; and ; for claim 25, page 6, line 3, et al. It is respectfully submitted that each of these claims are allowable for the same reasons that claim 12 is believed to be allowable, as noted below.

The following comments address the points raised by the Examiner in the order and numbered as they are presented in the Official Action.

Paragraph 2.

Please find attached a substitute executed Declaration and Power of Attorney without non-initialed and non-dated alterations.

Paragraph 3

Please find attached a disk and paper copy of the seque3nces listed on page 36, lines 19-24 (in Table 2). The Sequence Listing as submitted is believed to comply with 37 C.F.R. 1.821-1.825. In accordance with 37 C.F.R. 1.821 (f), the sequence listing information recorded in computer readable form is identical to the written sequence listing.

In order to comply with the Sequence Listing rules, Applicant has amended the specification in Table 2 to reflect the various sequence numbers.

Paragraph 4

The specification has been amended using the language suggested in the Office Action.

Paragraph 6

The specification has not been amended as requested because "homophyllic peptides" are already disclosed at page 13, line 18. However, "biotin mimetics"has been added to page 13, line 17 to more expressly provide antecedent basis for this precise language. Reconsideration is respectfully requested.

Paragraph 8

Claim 12 has been amended to include an administration step, solely to comply with the rejection under 35 U.S.C. 101.

Paragraph 10

It is respectfully submitted that the functional equivalents of platelets specific components in

claim 17, and the various VEGF growth factors or receptors of claim 21 are well known to those skilled in the art. The phrase "functional equivalents" is commonly used in issued patents; one example is U.S. Patent 5,578,287 at column 7, line 7. An exemplary reference that shows the existence of functional equivalents of platelet specific components prior to the filing date of the present application includes, but is not limited to U.S. Patent 5,238,919 (copy enclosed). The existence of this reference shows that the inventors' invention as claimed in claim 17 was in their possession at the time the application was filed.

An exemplary reference that shows the existence of peptide mimetics of VEGF, etc. prior to the filing date of the present application includes, but is not limited to WO9939861 (copy enclosed). The existence of this reference shows that the inventors' invention as claimed in claim 21 was in their possession at the time the application was filed.

It is therefore respectfully suggested that components or elements of the invention that are already well known do not need to be further described, so that Applicant has in fact complied with the written description requirement of 35 U.S.C. 112.

Paragraph 11

For the reasons noted above, Applicants respectfully request reconsideration that the specification is not enabling. As presented at the interview, Applicants' invention as disclosed in the specification is a cell-based system for binding and activating platelets at a pre-determined site. The targeting component of the invention involves an extensive number of targeting moieties that are well known in the art, are improvements on known targeting moieties, or are new targeting moieties that would still be functional in Applicants' invention. Since these targeting moieties are well known in the art, as noted above, it is respectfully suggested that Applicants' specification is enabling.

Paragraph 13

Paragraph 13A. Claims 16 and 17 have been amended as suggested in the Office Action.

Paragraph 13B. Claim 21 has been amended to add the punctuation needed to clarify the sentence.

Paragraph 13C. Claim 12 has been amended as suggested in the Office Action.

Paragraph 13D. This rejection is now moot in light of the amendments to claims 12 and 13.

Paragraph 13E. Claim 12 has been amended to include an active step.

Paragraph 15

Applicants presented at the interview various textbook descriptions of the science of hemostasis, or thrombus formation (Exhibits 1 -- 3, attached). In essence, thrombus formation involves two primary pathways, a cell-based pathway (Exhibit 1) and a protein-based pathway (Exhibits 2 and 3). Both pathways lead to thrombus or clot formation. All of the references cited in the Office Action in support of the various rejections are inventions involving the protein-based pathway. For example, all of the Thorpe et al. and Huang et al. references teach tissue factor and/or a coagulation protein (e.g., Factor VIIa). As shown in Exhibits 2 and 3, these are key elements or indicators of a protein-based pathway.

Further, none of the references cited in the Office Action teach the use of platelets to initiate production of a thrombus.

In contrast, Applicants' claimed invention is based on a cell-based pathway. Applicants' claims as originally filed always called for platelets, capturing the platelets at the site, and using the normal biological function of activated platelets to induce the thrombus. It is respectfully submitted that this is fundamentally distinct from the cited references.

Reconsideration is respectfully requested.

Paragraph 16

Reconsideration is respectfully requested based on the argument presented for Paragraph 15.

Paragraph 17

Reconsideration is respectfully requested based on the argument presented for Paragraph 15.

Paragraph 20

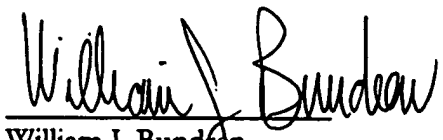
As noted above, Thorpe teaches a protein-based pathway for inducing a thrombus, and Applicants' claims as originally filed involve a cell-based pathway. Thorpe fails to teach or suggest a cell-based pathway, and the secondary reference, Anthony-Cahil et al., does not teach or suggest a cell-based pathway. It is therefore respectfully suggested that the Office Action does not provide a prima facie basis for rejecting Applicants' claims. Reconsideration is respectfully requested.

Accordingly, in view of the above amendments and remarks, it is submitted that this application is now ready for allowance. Early notice to this effect is solicited.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-4650. A duplicate copy of this form is enclosed.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at 301-203-6300 (a local call).

Respectfully submitted,



William J. Bundren
PTO Reg. No. 31,712

July 23, 2001

576 Farmington Road, West
Accokeek, MD 20607-9796

Telephone: 301-203-6300
Facsimile: 301-203-9825